



TOWN OF GROTON
Affordable Housing Trust



Becky Pine, *Chair*
Carolyn Perkins, *Vice Chair*
Phil Francisco, *Member*
Richard Perini, *Member*
Charles Vander Linden, *Member*

Regular Session Minutes

Date: Wednesday, December 14, 2022
Time: 7 pm
Location: Virtual Meeting held via Zoom
Members in attendance: Charles Vander Linden, Richard Perini, Becky Pine, Phil Francisco, and Carolyn Perkins
Others in attendance: Mark Haddad (Town Manager and Chief Procurement Officer), Judy Anderson
Handouts: Procurement guidelines¹, Real Property Acquisition and Disposition²

Becky Pine called the Affordable Housing Trust to order at 7 pm. Meeting is being recorded. Trust members were identified and their cameras for the remote meeting were turned on. A quorum was present consisting of Carolyn Perkins, Phil Francisco and Becky Pine.

Minutes

Phil Francisco moved to approve the November 16, 2022 regular session minutes. Carolyn Perkins seconded and the motion carried 3:0 by roll call vote of Francisco – aye, Perkins – aye, Pine -- aye (Vander Linden and Perini absent).

Carolyn Perkins moved to approve the November 16, 2022 regular session minutes. Phil Francisco seconded and the motion carried 3:0 by roll call vote of Francisco – aye, Perkins – aye, Pine -- aye (Vander Linden and Perini absent).

Charles Vander Linden and Richard Perini entered the meeting at 7:09 pm.

Procurement Steps

Mark Haddad attended the Trust's meeting in order to make himself available for a discussion about public procurement. The Trust plans to continue its site assessment activities for the publicly owned parcels on Hoyts Wharf and Fieldstone Drive. Mark Haddad referenced state procurement guidelines as well as the state law (MGL c. 30B §16) on acquisition and disposition of publicly owned land. \$30,000 is the threshold for design services that triggers more rigorous procurement efforts. The Trust should do solicitations if more than \$30,000 will be spent. Estimate all the anticipated work and if it is less than \$30,000, then only sound business practices are expected.

The \$30,000 is a per project amount. The Hoyts Wharf project would be considered a separate project. The two Fieldstone Drive parcels should probably be viewed as a single project. Theoretically one can break out the tasks assigned but if you use a single contractor for all of the tasks, then this doesn't look good and the Trust would be advised to do solicitations if the dollar amount is expected to exceed \$30,000. Charles Vander Linden asked

¹ 2018 guidelines shared. Guidelines updated [November, 2022](#).

² Text from [MGL Chapter 30B, Section 16](#).

what if we approach that number and Mark Haddad replied that the Trust should err on the side of caution and advertise.

Mark Haddad reminded the group that it doesn't hurt to put out a solicitation. Designer services and survey services can be done through the Request for Proposals process such that the Town is not required to accept the lowest bid and the Town can weight the ability of the contractor to complete the work. The Trust will continue to use Dillis & Roy at present. Total costs for Dillis & Roy work on the Hoyts Wharf parcel is no more than \$10,000.

Regarding Chapter 30B and the possible break out of a house lot for affordable housing at Hoyts Wharf, Phil Francisco said that it seems pretty clear that Chapter 30B applies since the property is obviously worth more than \$35,000.

Becky Pine shared that the Trust went to the Finance Committee on November 22nd. Becky Pine added that the Trust will be suggesting a similar policy of capital support for the Housing Trust as the Select Board has promulgated for the Conservation Commission's capital needs.

Trust members thanked Mark Haddad for his input. Mark Haddad left the meeting at 7:22 pm.

CPC application for Housing Trust Funds Request

Becky Pine invited Trust members to consider the dollar amount to request for its pending CPC application. Richard Perini said that the Trust should make sure that it covers the Trust's needs for the next year or two. The Trust might ask for \$150,000 to start and he does not know about subsequent years. The work to be done includes siting potential buildings, test pits for septic, surveying and those are the initial areas of expense. Phil Francisco thought that the dollar amount would be larger. Rick Perini referenced the \$25,000 of engineering assistance offered by Massachusetts Housing Partnership and that he is researching a separate grant for environmental work. If those amounts were drawn in or leveraged then that would equate to \$200 to \$250,000.

Phil Francisco said that we have heard about consultants that could help us to unravel options for available financial support. Richard Perini suggested starting with the Town's state representative as he had already met with U.S. representative Lori Trahan about seven or eight months ago.

Carolyn Perkins referenced the Groton Housing Authority's CPC application for the former firefighter's parcel on Nashua Road. The Housing Authority is looking for preliminary plans, site assessment and a potential \$21E assessment (for hazardous waste cleanup). Phil Francisco added that the Trust's application should account for wetlands delineations and endangered species.

Becky Pine asked Trust members to consider what the Trust might suggest to the Select Board as an ongoing policy. Becky Pine said that for the Conservation Commission, the Select Board policy references a percentage of the Towns' budget³. Becky Pine offered that the Trust might want to couch its proposal as a percentage of the CPA community housing funds – as in 50% of new community housing funds plus X% of remaining accumulated funds. Richard Perini said that he is more comfortable with a request for a fixe dollar amount rather than a percentage. Regarding percentages, Phil Francisco said that the town budget tends to be more predictable than the CPC budget. There was more discussion.

Carolyn Perkins suggested asking for \$150,000 or \$200,000 this year and to later, make annual requests. Richard Perini said that the Trust needs to report back frequently. Becky Pine agreed saying that the Trust should plan for increased communications on what we are doing and what we have done. Becky Pine referenced a benefits of affordable housing chart that she saw presented in a recent Massachusetts Housing Partnership webinar.

The CPC application should have verbiage on Fieldstone Drive parcels that names all the steps for predevelopment. The Sample Grant Agreement will be attached to the Trust's application. The one pager provided to the Finance Committee (condensed from Chapter 6 of the 2013 housing trust handbook) was helpful. The Trust agreed to request \$200,000 for this year and to consider asking the Select Board for a policy for the future for a percentage or a fixed annual amount.

³ See Select Board Financial Policies – General Financial Guidelines – “6. The Town will continue to maintain a Conservation Fund to be used in part for the purchase of land, or conservation restrictions or agricultural preservation restrictions on lands that exhibit high value for protection because they contain important natural resources. The Conservation Commission is in charge of formulating and prioritizing a list of such parcels so that a plan may be established for future purchases. It shall be the goal to maintain a balance in the Conservation Fund of at least 2% of the Town's current line-item budget, exclusive of Enterprises or Community Preservation Fund; and to the extent possible, deposits to the Conservation Fund should come from the Community Preservation Surtax” (BOA-2019-8, latest revision date February 7, 2022).

Affordability in MBTA districts

Trust members discussed the affordability limits in the MBTA Communities districts. Municipalities are free to set a 10% affordability requirement. Some municipalities with pre-existing 40R districts might go as high as 25%. Groton, like most municipalities without a 40R district, would have to meet additional criteria in order to increase the requirement beyond 10% and up to 20% or to deepen the affordability to people with less income⁴. The Department of Housing and Community Development (DHCD) has not shared what its acceptable methodology and format will be for a feasibility study⁵.

Groton is considered an “adjacent small town” under the guidelines and, as such, has the most generous compliance deadlines. Groton will have until December 31, 2025 to submit its District Compliance Application.

Review letter of support for Housing Coordinator position in pending CPC application

Trust members thanked Phil Francisco for drafting this letter of support to be included with the pending CPC application for the housing coordinator position.

Carolyn Perkins moved to approve the draft letter of support for the Housing Coordinator position. Richard Perini seconded and the motion carried 5:0 by roll call vote of Vander Linden – aye, Perini – aye, Francisco – aye, Perkins – aye, Pine – aye.

Executive Session

Charles Vander Linden moved to enter executive session and not to return to regular session pursuant to G.L. Chapter 30A, §21(a), Clause 6 – “To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.” – PURPOSE – town owned properties. Chair Becky Pine so declared. Richard Perini seconded and the motion carried 5:0 by roll call vote of Vander Linden – aye, Perini – aye, Francisco – aye, Perkins – aye, Pine – aye.

Regular session meeting adjourned at 8:08 pm with the Trust entering executive session.

Notes by Fran Stanley

Upcoming meetings and CPC deadlines:

Tuesday, January 10, 2023 at 7 pm	AHT meeting
Thursday, January 12, 2023	CPC Complete Draft Proposals due
Monday, January 23, 2023	CPC feedback to applicants
Wednesday, January 25, 2023 at 7 pm	AHT meeting
Monday, February 6, 2023 at 7 pm	AHT meeting with Select Board
Monday, February 13, 2023	written feedback from CPC to applicants
Thursday, February 23, 2023	CPC Complete Final Proposals due

⁴ Notwithstanding the foregoing, DHCD may, in its discretion, approve a greater percentage of affordable units, or deeper affordability for some or all of the affordable units, in either of the following circumstances:

- (i); or
- (ii) The affordability requirements applicable in the multi-family zoning district are supported by an *economic feasibility analysis*, prepared for the municipality by a qualified and independent third party acceptable to DHCD, and *using a methodology and format acceptable* to DHCD. The analysis must demonstrate that a reasonable variety of multi-family housing types can be feasibly developed at the proposed affordability levels, taking into account the densities allowed as of right in the district, the dimensional requirements applicable within the district, and the minimum number of parking spaces required.

In no case will DHCD approve alternative affordability requirements that require more than 20 percent of the units in a project to be affordable units”.

⁵ DHCD continues to release additional information related to MBTA Communities. The most recent was Compliance Model Components released circa November 23, 2022 (<https://www.mass.gov/info-details/compliance-model-components>).